

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:)
)
BARRY K. GASPER,)
KATHY J. GASPER,) CASE NO. 10-12906-AJM-13
Debtors.)
)

MOTION TO AVOID JUDICIAL LIEN
AND NOTICE OF OBJECTION DEADLINE

The Debtors hereby move the Court pursuant to 11 U.S.C. § 522(f) to avoid the lien of Pam Shireman on the following real property:

2965 Wilbur Road
Martinsville, IN 46151

In support of said Motion, the Debtors states the following information:

1. The Debtors filed this case on October 18, 2010 - referred to as the "Petition Date."
2. The creditor obtained a judgment which is a lien on the real property described above. That judgment was obtained pre-petition, in 2007 in the Morgan Superior Court No. 3 under Cause No. 55D03-0710-SC-1526.
3. The value of the property as of the Petition Date is \$135,000.00.
4. The other liens on the Property are as follows: \$158,000.00 and the total amount of all other liens on the Property is \$158,000.00.
5. The creditor's lien is in the amount of \$6,086.00.
6. The amount of the impaired exemption is \$17,600.00.
7. The Property has been claimed as exempt. The lien impairs an exemption of the Debtors and is subject to avoidance under 11 U.S.C. §522(f).

PLEASE TAKE NOTICE THAT any objection must be filed with the Bankruptcy Clerk within **21 days** of the date of this notice (or such other time period as may be permitted by Fed.R. Bankr.P. 9006(f). Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or

in person at: 116 U. S. Courthouse, 46 East Ohio Street, P. O. Box 44978, Indianapolis, Indiana 46244.

The objecting party must ensure delivery of the objection to the party filing the motion.
If an objection is NOT timely filed, the requested relief may be granted.

WHEREFORE, the Debtors moves the Court to enter an order avoiding the judicial lien and granting such other relief as may be appropriate.

/s/ Alan L. Crapo
Alan L. Crapo
Attorney for Debtors
4040 S. Meridian St.
Indianapolis, IN 46217

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of this Motion to Avoid Judicial Lien was served upon the lien holder, the Trustee and the Office of the U. S. Trustee whose addresses appear below by placing a copy in the U. S. Mail or electronically transmitted ecf this 4th day of November, 2010.

Pam Shireman
9510 East Washing Street
Indianapolis, Indiana 46229

Robert A. Brothers, Trustee
151 N. Delaware St., #1400
Indianapolis, IN 46204

U. S. Trustee
101 E. Ohio St.
Suite 1000
Indianapolis, IN 46204

/s/ Alan L. Crapo
Alan L. Crapo

Alan L. Crapo #3849-49
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